

BEFORE THE IDAHO BOARD OF TAX APPEALS

IN THE MATTER OF THE APPEAL OF JOHN AND) APPEAL NO. 07-A-2184
DALE GROENENDYK from the decision of the Board) FINAL DECISION
of Equalization of Clearwater County for tax year) AND ORDER
2007.)

RURAL RESIDENTIAL PROPERTY APPEAL

THIS MATTER came on for hearing November 20, 2007, in Orofino, Idaho before Presiding Officer Linda S. Pike. Board Members Lyle R. Cobbs and David E. Kinghorn participated in this decision. Appellant Dale Groenendyk appeared. Assessor Mellisa Stewart appeared for Respondent Clearwater County. This appeal is taken from a decision of the Clearwater County Board of Equalization denying the protest of the valuation for taxing purposes of property described as Parcel No. RP 35N02E127200 A.

The issue on appeal is the market value of a rural residential property, specifically the value attributable to land.

The decision of the Clearwater County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed market value for the one-acre homesite is \$19,827. Appellants request the market value for the homesite be reduced to \$10,858.

Subject property consists of a one-acre homesite, 9.5 acres of forest land and a manufactured home. Only the assessed value of the homesite is being challenged.

Appellants expressed concern that assessed value had increased dramatically for the one-acre homesite.

Taxpayers presented sales information. Only two of the sales were located in Clearwater County. Although Appellants did not discuss these sales, information sheets were presented.

Respondent stated the last re-valuation for residential property in this area was in 2005. To

maintain market value each year, positive trends were calculated from an analysis of sales data and applied to the original base assessed values to achieve a ratio between 90% and 110% of market value, as required by the State Tax Commission.

The County discussed Appellants' sales in detail. In comparing the sales to subject, Respondent declared the sales were not "like" property. Respondent submitted bare land sales and discussed them at length. Appellant did not contest the information presented by the County.

The hearing concluded with the County stating a data entry error was discovered in subject's property tax record. When the manufactured home was added to the real property, the homeowner's exemption was not applied, creating a larger tax burden than necessary. The County agreed a tax credit was warranted.

Appellant stated the appeal and hearing would not have been necessary had the County communicated there was an error.

CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of fair market value. This Board, giving full opportunity for all arguments and having considered all testimony and documentary evidence submitted by the parties in support of their respective positions, hereby enters the following.

In assessing property for tax purposes, Idaho subscribes to a market value standard as defined in Idaho Code § 63-201(10):

"Market value" means the amount of United States dollars or equivalent for which, in all probability, a property would exchange hands between a willing seller, under no compulsion to sell, and an informed, capable buyer, with a reasonable time allowed to consummate the sale, substantiated by a reasonable down or full cash payment.

Appellants' homeowner's exemption claim was not duly granted on the original assessment

notice. The error was addressed and corrected by the County through an adjustment to taxes. No further action is required by this Board. Appellant stated that had the data entry error and tax credit information been communicated prior to the hearing, an appeal would not have been necessary.

Respondent thoroughly detailed the indexing methodology used to assess property in subject's area. The evidence illustrated compliance with Idaho's market value standard and required valuation program. Sales of properties with similar acreage were provided, which support the assessed value.

In light of the evidence presented, the Board will affirm the decision of the Clearwater County Board of Equalization pertaining to the homesite valuation.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Clearwater County Board of Equalization concerning the subject parcel be, and the same hereby is, affirmed.

MAILED February 22, 2008